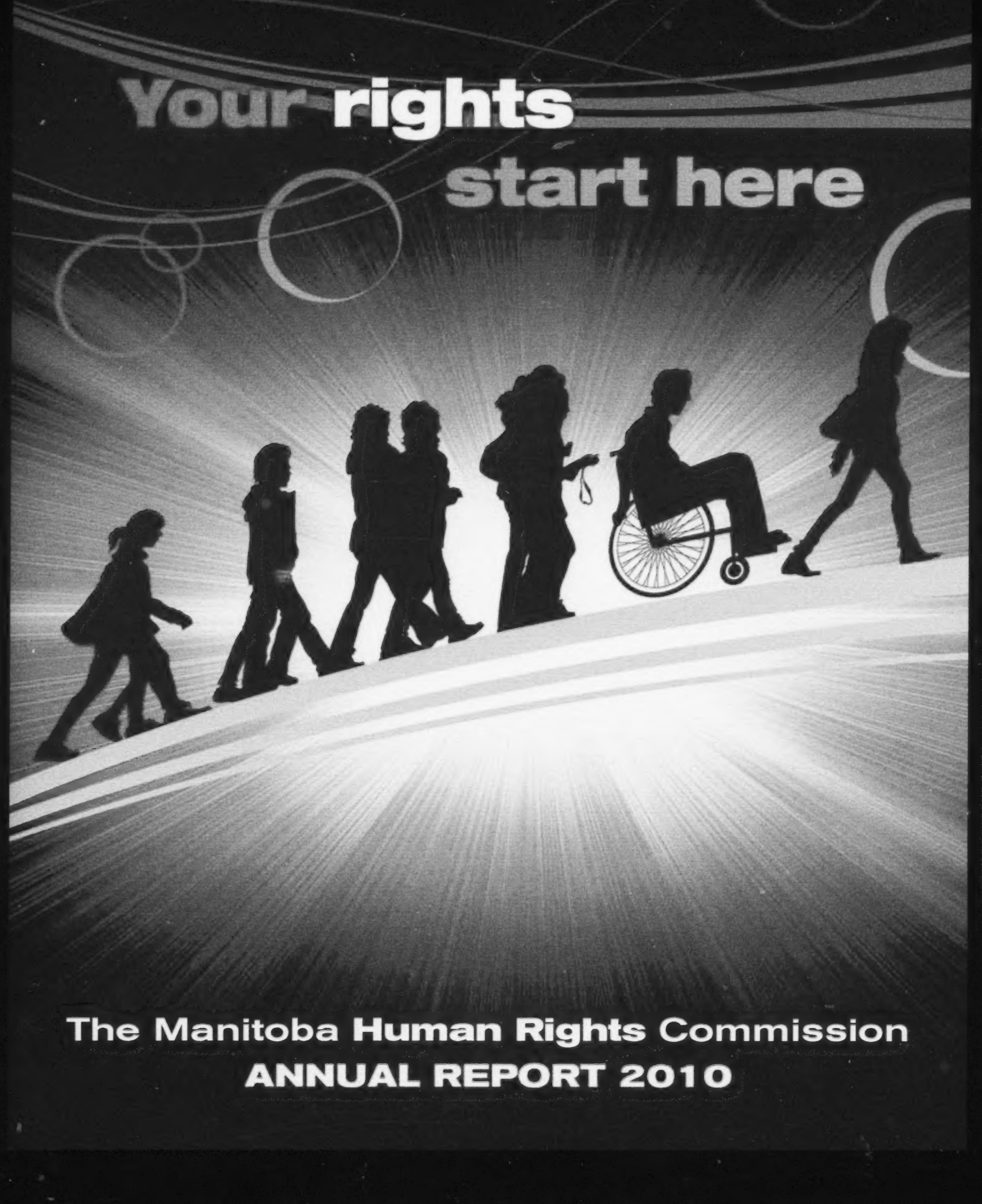


The Manitoba **Human Rights** Commission
ANNUAL REPORT 2010

YOUR HUMAN RIGHTS IN MANITOBA

The underlying principle of the *Human Rights Code* (Manitoba) is the recognition of the individual worth and dignity of every person.

Discrimination under *The Human Rights Code (The Code)* is treating someone differently, to their disadvantage and without a valid reason or failing to take steps to accommodate special needs that are based on protected characteristics. *The Code* prohibits unreasonable discrimination in areas such as employment, housing, public services or contracts, and signs and notices.

The Code prohibits unreasonable discrimination on the following grounds, called "protected characteristics:"

- Ancestry
- Nationality or national origin
- Ethnic background or origin
- Religion or creed, or religious belief, religious association or religious activity
- Age
- Sex, including pregnancy, or gender identity
- Gender-determined characteristics
- Sexual orientation
- Marital or family status
- Source of income
- Political belief, political association or political activity
- Physical or mental disability

Members of other historically disadvantaged groups, not listed in this section of *The Code* may also be protected.

In determining whether discrimination has occurred, it is the effect, not the intention that counts.

Most employers, landlords or service providers that are located in Manitoba are regulated by provincial law and so are bound by Manitoba's *Human Rights Code*. Other private businesses, such as airlines, banks, and telecommunication enterprises, as well as the federal civil service and many First Nations governments and organizations, however, are regulated by federal law. Complaints against them must, therefore, be filed with the Canadian Human Rights Commission under federal human rights law.

The Human Rights Code is a special law that overrides other provincial laws.

ATTORNEY GENERAL
MINISTER OF JUSTICE

Room 104
[illegible]ative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

His Honour
The Honourable Phillip S. Lee
Lieutenant-Governor of Manitoba

Sir:

May it please your Honour, it is my pleasure to present to you, the Annual Report of The Manitoba Human Rights Commission for the year 2010.

Respectfully submitted,

Andrew Swan
Minister

THE MANITOBA
HUMAN RIGHTS
COMMISSION

LA COMMISSION DES
DROITS DE LA PERSONNE
DU MANITOBA

The Honourable Andrew Swan
Minister of Justice and Attorney General
Legislative Building
Winnipeg, MB R3C 0V8

Sir:

We are pleased to forward to you, the Minister responsible for administration of *The Manitoba Human Rights Code*, the Annual Report of the Manitoba Human Rights Commission for the calendar year ending December 31, 2010.

Jerry Woods
Chairperson

TABLE OF CONTENTS

Chairperson's Message 02

Year in Review 03

Complaint Process – Overview 03

Awareness of Human Rights
and Responsibilities 06

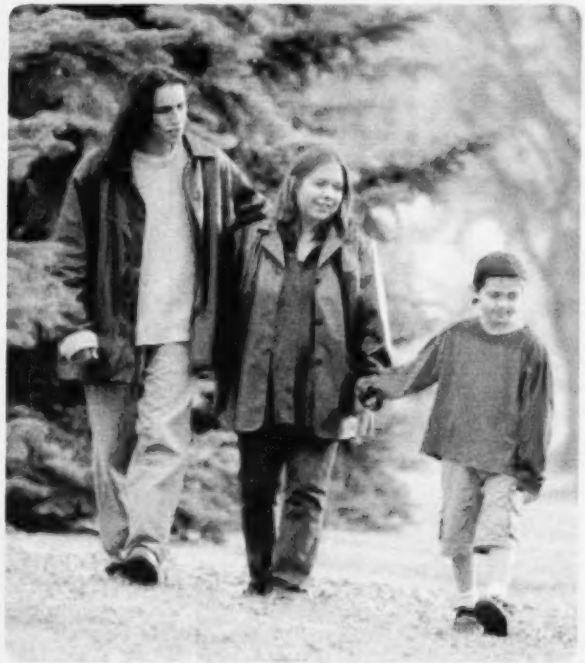
Report from the Executive Director –
Moving Forward 08

Commissioners 09

Manitoba Human Rights Commission
Annual Report 2010 French Summary 10

Statistics 12

Organization Chart 14



CHAIRPERSON'S MESSAGE

I am pleased to write that 2010 was a year of accomplishments at the Manitoba Human Rights Commission.

At the centre of the Commission's work is receiving and resolving discrimination complaints. I would like to recognize and thank the staff for their dedicated efforts in mediation, investigation, intake and administration. Their objectivity when dealing with both complainants and respondents should also be noted.

Another, and lesser known part of the Commission's mandate, is to educate and promote human rights.

Awareness also means keeping in touch with the community and forging partnerships with those groups and agencies who share the goal of promoting and protecting human rights. Our partners include the University of Winnipeg, the Canadian Human Rights Commission, the Office of the Ombudsman, the Children's Advocate, the Manitoba Association for Rights and Liberties and most recently, the Treaty Relations Commission of Manitoba.

Our latest partnership with the Treaty Relations Commission of Manitoba is the first of its kind in Canada. The Manitoba Human Rights Commission is very aware of the many unique difficulties First Nations and other Aboriginal people face. As a first step, a "Think Tank" (Widokodadiwin-We All Work Together) was held with community leaders to discuss and consider Human and Treaty Rights in Manitoba.

It is always an honour to be asked to speak on human rights. I was extremely proud when I was asked to address the first class of students enrolled in the Bachelor of Arts Degree in Human Rights and Global Studies at the University of Winnipeg. These students will be the next major players in the evolution of human rights in Canada and around the world.

I strongly believe that confronting discrimination in our complaint process, recognizing our responsibility to develop educational workshops, building on partnerships, and increasing human rights awareness will result in a change of attitude, and incidents of discrimination and harassment will diminish in future generations.

Jerry Woods
Chairperson, Manitoba Human Rights Board of Commissioners

"You are on a path which follows the celebrations and struggles of human rights. Recognize past failures and strive to correct them. Embrace today's successes and find strength in them. Look to the future and determine how you can influence the evolution of human rights that will benefit generations to come. For the cause of human rights and the protection of mother earth, you are our champions, our warriors and our future leaders."

Jerry Woods
May 2010 at the inauguration ceremony recognizing the first students to enroll in the Bachelor of Arts in Human Rights and Global Studies Degree Program

YEAR IN REVIEW

The Manitoba Human Rights Commission is authorized to mediate and investigate complaints of discrimination, to refer matters to adjudication, to educate the public and promote human rights.

2010 Highlights

- *Following a complaint of systemic discrimination and a successful human rights mediation, Winnipeg City Council's Public Works Committee approved a plan allowing people with Alzheimer's disease and other forms of dementia to use Handi-Transit.*
- *An individual complaint with a systemic resolution involved changes to a Manitoba health care policy, which has resulted in more family members receiving funds when providing non-professional home care services.*
- *44 per cent of complaints closed during the year were settled through mediation with most matters resolved, on average, in three months.*
- *The Commission launched two new websites: The Manitoba Human Rights Commission (manitobahumanrights.ca) and Manitoba Class Action (manitobaclassaction.com)*
- *By observing trends in human rights complaints, the Commission was able to discern what further human rights education was required. A seminar dealing with mental health issues in the workplace was designed in 2010.*
- *The Commission held its 10th Youth Awareness Conference and invited the leaders of Craig and Marc Kielburger's "Me to We" organization to lead the afternoon session.*
- *The Manitoba Human Rights Commission, the Treaty Relations Commission of Manitoba, and the Canadian Human Rights Commission forged a unique collaboration to raise awareness of Human and Treaty Rights in Manitoba.*
- *Noting an increase in the number of complaints of discrimination in the workplace based on pregnancy, a new guideline for parents and pregnant women was published and available online.*
- *Manitoba was one of the first Commissions in Canada to publish guidelines on discrimination based on gender identity.*

THE COMPLAINT PROCESS

Intake

The intake staff is often the first contact the public makes with the Manitoba Human Rights Commission. The Commission has intake staff in its Winnipeg, Brandon and The Pas offices.

In 2010 over 4,700 requests for information were dealt with by the intake staff. Approximately 9 per cent of the contacts were matters that directly related to *The Code*, while a further 19 per cent were requests for literature relating to human rights. As a result of these contacts, 428 files were opened.

Pre-complaint

Before a formal complaint is filed, the intake staff may recommend pre-complaint mediation, which is a voluntary, without prejudice process. The Commission mediators attempt to resolve an issue prior to the filing of a formal complaint of discrimination. In 2010, 27 matters were resolved successfully using this process.

Area and Ground(s): Alleged discrimination in rental properties on the basis of source of income

Background: The complainant said that she was refused an opportunity to apply for an apartment because she received a disability assistance income.

Resolution: The caretaker was contacted and the woman was invited to apply for the next available apartment.

Fast Fact
The Commission has guidelines for landlords and condominium corporations: You Can Support Human Rights in Rental Housing and You Can Support Human Rights in Condominium Housing.

Mediation
If a formal complaint is filed, complainants are advised that the Commission offers mediation as an option for the parties to consider before or during an investigation. It is important to note that during mediation at these stages of the process, no assessment or decision about the complaint is made. At times, a mediated settlement can achieve more, from the perspective of the complainant, than a public hearing.

In 2010, 179 files were assigned to the three staff mediators and 71 complaints were resolved successfully either at the pre-investigation stage or during the investigation. Of these successful resolutions, 55 were resolved in pre-investigation and 16 during the investigation.

Area and Ground(s): Alleged discrimination in employment based on sex, including pregnancy and circumstances related to pregnancy.

Background: The complainant is an instructor. After her maternity leave she contacted her employer regarding her return to work, but after several attempts, she did not receive a reply.

Resolution: After pre-investigation mediation took place, the complainant received $10,000 in general damages.

Fast Fact
A noticeable upward trend is emerging in the number of complaints based on pregnancy in employment. In 2008, 36 per cent of complaints based on sex were pregnancy related. In 2009, this increased to 67 per cent. In 2010 the percentage is almost 50 per cent.

Investigation
Each complaint that is not resolved in the mediation process is assigned to the eight person investigation team.

Before an investigation begins a preliminary assessment may be done to determine if the complaint, as filed, is within the jurisdiction of the Commission and/or whether the complaint or complainant has disclosed a reasonable ground to support the alleged contravention of *The Human Rights Code.* This Preliminary Assessment report is sent to the Board of Commissioners with a recommendation.

Complaints are investigated in an impartial manner. The investigator interviews witnesses and obtains documents and information to thoroughly explore the positions of both parties. A formal report called an Investigation Assessment Report, including a recommendation, is written for consideration by the Board of Commissioners.

In 2010, the investigation team was assigned 177 formal complaints and the team completed Preliminary Assessment Reports (35) or Investigation Assessment Reports (118) on 153 complaints.

Fast Fact
The average length of an investigation, including preparation of the written report, was 8.8 months.

Withdrawn or Abandoned
The team of investigators and mediators prepared 34 reports with respect to complaints that were either withdrawn or abandoned during 2010.

Dismissed
Where there is insufficient evidence to support a complaint, or no contravention of *The Code* is found, or the Board is satisfied that the complaint is frivolous or vexatious, the Board will dismiss it. Once a case has been dismissed it does not go any further.

In 2010, 122 complaints were dismissed by the Board.

Area and Ground(s): Alleged discrimination in employment based on disability

Background: The complainant believed that the Respondent discriminated against her in her employment on the basis of her physical disability (injured right arm, wrist and shoulder) and failed to reasonably accommodate her special needs.

The Respondent stated that it offered the Complainant two opportunities to return to work on modified duties but they were unsuccessful. It took the position that it accommodated the Complainant to the point of undue hardship.

The evidence was that the Respondent's process of determining an appropriate accommodation for the Complainant was reasonable in that the Respondent thoroughly investigated the Complainant's disability-related needs over a two year period before it terminated her position.

Result: Since it appeared that there was insufficient evidence to substantiate the alleged contravention of The Code, it was recommended that the Board of Commissioners dismiss the complaint.

Board Directed Mediation
Where the Board finds that the complaint has enough support in the evidence to proceed further and should not be dismissed, it may provide the parties with the opportunity to discuss settlement (board directed settlement negotiations).

In 2010, 31 files were referred to directed mediation and 25 cases were voluntarily resolved at this stage.

Area and Ground(s): Alleged discrimination in employment based on disability

Background: The complainant is bi-polar, and after a manic episode was fired from her job. Her employer said that no one was aware of her medical condition. A full investigation took place and the report concluded that the employer ought to have known about the complainant's medical condition and did not meet the obligation to reasonably accommodate their employee.

The Board of Commissioners determined that there was sufficient evidence that directed mediation should be undertaken.

Resolution: The parties entered into an agreement with the woman receiving $3,500 as general damages and the employer implementing a reasonable accommodation policy provided by the Commission.

Fast Fact
It is estimated that 1 in 5 Canadians will develop a mental illness at some time in their lives. Many more individuals such as family, friends and colleagues are also affected.
- Canadian Mental Health Association

Referred to Adjudication
When the Board directs that mediation should take place, parties are advised that if mediation is not successful, the matter will be sent to adjudication.

In 2010, seven files were referred to adjudication. Two hearings were held in 2010 but the adjudicator has not yet reached her decisions.

Fast Fact
The adjudication process is independent of the Manitoba Human Rights Commission. After receiving a request from the Board to appoint an adjudicator, the Minister of Justice selects an independent adjudicator from a list of those appointed under The Code.

Settled prior to adjudication
The Commission's legal counsel will make a final attempt to settle the matter before adjudication. Five files, which had been referred to adjudication, were resolved by legal counsel in 2010, before the hearing took place.

AWARENESS OF HUMAN RIGHTS AND RESPONSIBILITIES

To protect your human rights you have to understand what they are. The Manitoba Human Rights Commission continues to make human rights education a priority.

In 2010 the Commission published two new guidelines: *Parents and Pregnant Women*, and *Protections from Discrimination Based on Gender Identity; Your Rights, Your Obligations.*

Fast Fact
The Manitoba Human Rights Commission was one of the first commissions in Canada to publish guidelines on discrimination based on gender identity.

In response to the growing number of complaints based on mental health issues, the Commission added a new workshop to its education programs. The session deals with such topics as: what a mental disability is under *The Human Rights Code*; what your obligations as an employer are if you reasonably believe an employee may have a mental illness; what information is needed from medical practitioners; and the benefits of having a policy on reasonable accommodation.

Area and Ground(s): Alleged discrimination in employment based on disability

Background: In 2006 the complainant was rehired by a company that he had worked for from 1995-2004. The following year he was relocated to Winnipeg and held a director position. He was subsequently diagnosed with anxiety and a panic disorder and first went on short-term disability and then long-term disability. When he was prepared to return to work, however, his employer terminated his employment.

Resolution: This matter was resolved with a settlement agreement. The complainant received $31,667 in general damages, $3,400 for legal costs and a letter of reference.

Fast Fact
Over 200 employers, supervisors, human resource specialists and other interested people attended the Commission's seminars and workshops in 2010.

The Commission is pleased to be involved in the Entry Program, developed by the Manitoba Government to streamline/centralize settlement services to newcomers.

The Commission's Outreach and Liaison Officer delivered two human rights presentations a month with over 70 participants at each session, reaching almost 2,000 newcomers this year.

Fast Fact
The Commission continues to expand its community activities and made public presentations to almost 3,000 people.

Educating youth about human rights and responsibilities continues to be an important component of the Commission's education programs.

At the heart of the youth initiative, are the Commission's youth awareness conferences.

The Commission celebrated its 10th year of youth conferences by inviting the "Me to We" youth leaders to speak with Manitoba students. In an energetic afternoon interactive session, the leaders encouraged students to be part of change. "Me to We" is the social change organization created by Craig and Marc Kielburger. The *Learn 2 Lead* Conferences took place in Winnipeg and in Brandon.

Fast Fact
Almost 300 students and teachers registered at the human rights youth conferences in Brandon and Winnipeg in 2010.

The Commission launched its new Manitoba Class Action website to help students get involved in human rights and learn more about Manitoba's *Human Rights Code*.

Achieving equality doesn't always mean treating everyone the same way.

A good example of this was accepting turbans as part of the RCMP uniform for members of the Sikh community. More on this human rights event, which took place on March 15, 1990, and many more, can be found on Manitoba Class Action, one of the Commission's websites. (manitobaclassaction.com)

Many human rights issues come to the public's attention when the media carries a specific story. This, in turn, gives the Commission the opportunity to educate on rights and responsibilities. An example in 2010 was human rights protections for nursing mothers.

Issue: Breast Feeding in Public

Situation: Although this is not news, nor groundbreaking, there is a lack of understanding of the human rights protections for breast feeding mothers.

Reality: It is discriminatory to ask a nursing mother to stop, to move to another place or to be more discreet. The right to breastfeed falls squarely within Manitoba's human rights legislation. In Manitoba, women are protected from discrimination and harassment because of sex, including pregnancy, the possibility of pregnancy or circumstances related to pregnancy. This includes breastfeeding. Women and children would also be protected under the family status provisions of The Code.

Best Practice: When a patron is "offended" by a woman breastfeeding, it is better to deal with that person and not the nursing mother. Being "offended" by a mother who is breastfeeding is an archaic view, reflecting an attitude that is inconsistent with human rights laws and decisions.

Each year the Manitoba Human Rights Commission and its partners, the Canadian Human Rights Commission and the Manitoba Association for Rights and Liberties recognize individuals or groups who have promoted respect for human rights and fundamental freedoms.

The Human Rights Commitment Award of Manitoba, focused on an individual or a group who had advanced human rights through the arts. Two recipients were honoured.

Ernesto Griffith and Winston Moxam of Winesto Films Incorporated received the Commitment Award for the film, "Billy".

The Manitoba Theatre for Young People, also received the Commitment Award for the achievement of promoting human rights and social transformation for almost 30 years.

The recipient for the Sybil Shack Human Rights Youth Award was the leadership team of **Voices: Manitoba's Youth in Care Network** for their "Free Hug Day Campaign."

REPORT FROM THE EXECUTIVE DIRECTOR - MOVING FORWARD

Looking to future, the Commission has set goals and objectives for the coming year and beyond.

The Commission will be looking into ways of integrating social networking into its communications strategy. This is an opportunity to reach a much broader and more diverse audience while also increasing the Commission's visibility among the public. It is indisputable that social networking is now the preferred method of communication among youth, and educating youth about human rights and responsibilities continues to be an important component of the Commission's education programs.

Noting a need for information on mental illness in employment, employment equity programs, and the rights and responsibilities of landlords and condominium corporations, the Commission will look at adding these topics to its education programs.

The Commission will also work to create greater efficiencies and improve service to the public in relation to its complaint processes. The triage system will be enhanced so that systemic issues are identified during the complaint drafting process. We will also work to reduce the length of time required for formal complaints to be assigned to mediators and to reduce the length of time required for investigations.

The Commission will return to the Racialized Communities and Police Services Project (RCAPS) with a final community consultation with the original participants in this research study. The final report will establish if there has been a change in the relationship between the communities and the Winnipeg Police Service. Appropriate recommendations will follow.

One of the Commission's greatest strengths is the quality of its staff. Although we refrain from using terms like "Genius Bar", our staff does amazing work and I would like to express my personal thanks for their efforts and acknowledge those who have left the Commission. We will miss the analytical skills and the expertise of Debra Beauchamp, our program and policy analyst who retired from the Commission. We also said goodbye to Jackie Gruber who has moved on to the University of Manitoba and was instrumental in developing the Commission's successful mediation programs. Two of our investigators have also moved on; Susan Joanis left Manitoba and Rene Linklater returned to University. Lara Badmus and Judy Davies worked on a casual basis as investigators, and they, too, have undertaken new opportunities. And, Sarah Lugtig, the Commission's first in-house counsel, accepted a secondment opportunity with Civil Legal Services. They will all be missed by their former colleagues at the Commission.

Dianna Scarth
Executive Director

COMMISSIONERS

Chairperson

Jerry Woods is a proud member of the Couchiching First Nation and hosts all the Commission's youth conferences. His background in the labour movement and his expertise as a negotiator serve him well as a strong advocate for Aboriginal employment and human rights issues. He continues to work in the community as an activist and strives for equitable outcomes with a dedication to improving the quality of life for all people. Jerry's passion is golf, and his joy is his family, wife Cathy, their six children, and ten grandchildren.

Vice-Chairperson

Yvonne Peters has a Bachelor of Arts and a Bachelor of Law from the University of Saskatchewan and a Bachelor of Social Work from the University of Regina. She practices equality rights law in Winnipeg, providing legal consultation and advice. She also serves as the Project Manager for the birth centre being developed by the Winnipeg Regional Health Authority and the Women's Health Clinic. Her community work includes serving on the Council of the Manitoba Bar Association and the Board of Directors of the International Association of Assistance Dog Partners.

Commissioners

Robin Dwarka is the Director of Finance for Legal Aid Manitoba. She is a Certified Management Accountant (CMA) and has a Bachelor of Commerce (Honours) from the University of Manitoba. Robin is a founding member of the Manitoba Pan Handlers, a local steel band. She is actively involved with Anansi, a school for the performing arts to promote the Caribbean culture through dance, music and drama to youth in Winnipeg. Robin was the Secretary/Treasurer for the Manitoba Association for Rights and Liberties (MARL) until June, 2010.

Elliot Leven is a lawyer by profession and his preferred areas of practice are labour and employment law and Aboriginal law. He is an active member of Winnipeg's gay and Jewish communities. He is the President of the Community Unemployed Help Centre, a member of various Law Society of Manitoba committees, and on the Board of the Manitoba Council of Administrative Tribunals (MCAT).

Sheena Rae Reed was born and raised in Flin Flon and her love of the North resulted in her returning to her hometown after receiving her Arts Degree from the University of Manitoba and studying two years of law. Today she works with Child and Family Services for the Government of Manitoba. For the last seventeen years Sheena has coached girls' gymnastics and has been involved in Big Brothers/Big Sisters. She is also a Board Member of the Northern Women's Resource Centre in Flin Flon, the Vice-President of the Flin Flon Friendship Centre's Board of Directors and the Past President of the Manitoba Association of Friendship Centres.

Ajit Kaur Deol, O.M. has a Bachelor of Arts (Honours) and a Master of Arts from the University of Toronto. She was a teacher in Winnipeg for many years. Ajit is credited with developing the Caroline McMorland School for the mentally disabled in Ontario, where she was Principal. In 1985-86, she was the first woman President of a Sikh Gurudwara (temple) in North America. Ajit is a recipient of the Order of Manitoba and the Queen Elizabeth II Golden Jubilee Medal and has been on the Board of Directors of countless organizations and is currently a member of the Advisory Committee Punjab Foundation, Boards and Commissions, and a Director on the Board of the Seven Oaks School Education Scholarship Foundation.

Joan Hay has lived in Winnipeg's inner city for over twenty years. Joan co-hosts a radio show called "Inner City Voices" on CKUW, the University of Winnipeg's community station, and is the founding member and Past President of the Inner City Aboriginal Neighbours (I-CAN) group. She also is involved with many inner city boards and committees and currently works at the Ma Mawi Wi Chi Itata Centre Inc. as a Community Helper/ Emergency Services Worker. Joan is of Ojibwe/ Dakota descent from Waywayseecappo First Nation in Manitoba.

Leo Aniceto is a staff lawyer for Somerset Law Office, Family Unit, Legal Aid Manitoba. Prior to this, he practiced on his own for about five years helping clients in the areas of family law, criminal law, child protection and real estate. Leo has three children. He is a member of the Filipino community and enjoys helping fellow Filipinos with their legal problems whenever he can.

Karen Banuga is a Research/Copyright Officer and Access and Privacy Coordinator for the Assiniboine Community College. She has a Bachelor of Arts Degree from Brandon University and is a member of the Islamic Community. Karen is a strong advocate of women's rights and is an active member of the Manitoba Government Employees Union and Chief Steward. She loves to travel and finds it helpful in understanding other cultures and belief systems. Karen is married with four children.

RÉSUMÉ EN FRANÇAIS DU RAPPORT ANNUEL DE 2010 DE LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

La Commission des droits de la personne du Manitoba a connu beaucoup de succès en 2010. Ses tâches principales comprennent la réception et le règlement des plaintes de discrimination. Elle a également pour mandat, bien que ce soit moins connu, de promouvoir les droits de la personne et d'éduquer le public en la matière.

Faits saillants en 2010

- Par suite d'une plainte de discrimination systémique et après un processus de médiation réussie portant sur les droits de la personne, le comité des services publics de la Ville de Winnipeg a approuvé un plan pour permettre aux personnes atteintes de la maladie d'Alzheimer et d'autres formes de démence d'utiliser les services de transport adapté (Handi-Transit).

- Une plainte individuelle qui a mené à une résolution systémique concernait une modification de la politique des soins de santé du Manitoba. Désormais un plus grand nombre de membres d'une famille pourront bénéficier d'une rémunération quand ils fournissent des services de soins à domicile non professionnels.

- Quarante-quatre pour cent des plaintes traitées au cours de l'année ont été réglées au moyen de la médiation, et ce, dans l'espace de trois mois en moyenne.

- La Commission a lancé deux nouveaux sites Web : la Commission des droits de la personne (http://manitobahumanrights.ca/index.fr.html) et Manitoba Class Action (manitobaclassaction.com) (en anglais seulement).

- En observant les tendances à l'égard des plaintes portant sur les droits de la personne, la Commission a pu déterminer quels besoins en éducation existaient encore dans ce domaine. Un séminaire sur les problèmes de santé mentale dans les milieux de travail a été conçu en 2010.

- La Commission a tenu sa 10e conférence de sensibilisation de la jeunesse et a invité les chefs de file de l'organisation de Craig and Marc Kielburger, "*Me to We*", à animer la séance de l'après-midi.

- La Commission des droits de la personne du Manitoba, le Treaty Relations Commission of Manitoba et la Commission Canadienne des Droits de la Personne ont formé une collaboration unique ayant pour but d'accroître la sensibilisation aux droits de la personne et aux droits issus des traités au Manitoba.

- Étant donné l'augmentation des plaintes de discrimination dans les milieux de travail basées sur la grossesse, la Commission a publié et à affiché en ligne de nouvelles lignes directrices pour les parents et les femmes enceintes.

- La Commission des droits de la personne du Manitoba a été l'une des premières commissions canadiennes à publier des lignes directrices sur la discrimination fondée sur l'orientation sexuelle.

TRAITEMENT DES PLAINTES – VUE D'ENSEMBLE

Dépôt des plaintes – Le personnel responsable de l'accueil a reçu plus de 4 700 demandes d'information. Environ 9 % de celles-ci portaient directement sur le *Code*, et 19 % comprenait des demandes de littérature sur les droits de la personne. Ces demandes ont donné lieu à la création de 428 dossiers.

Processus de règlement préalable au dépôt d'une plainte – Il s'agit d'un processus volontaire mené sous réserve de tous droits qui donne la possibilité aux médiateurs de la Commission de chercher à régler des différends avant le dépôt d'une plainte officielle pour discrimination. En 2010, 27 dossiers ont été résolus grâce à ce processus.

Médiation – Un total de 179 dossiers ont été confiés à trois médiateurs de la Commission à l'étape préalable à l'enquête ou durant l'enquête. Parmi ceux-ci, 71 ont été réglés à l'étape préalable à l'enquête avec l'aide d'un médiateur ou pendant l'enquête. De ces règlements réussis, 55 ont été résolus à l'étape préalable à l'enquête et 16 durant l'enquête.

Enquête – L'équipe chargée des enquêtes a enquêté sur 177 plaintes officielles et rédigé un rapport d'évaluation préliminaire ou un rapport d'évaluation d'enquête sur 153 d'entre elles. La durée moyenne d'une enquête, y compris le temps consacré à la rédaction du rapport, a été de 8,8 mois. De plus, l'équipe des enquêteurs et les médiateurs ont rédigé 34 rapports sur des plaintes qui ont été retirées ou abandonnées.

Plaintes rejetées – En 2010, 122 plaintes ont été rejetées par le conseil des commissaires.

Médiation ordonnée par le conseil – Un total de 31 dossiers ont fait l'objet d'une médiation ordonnée par le conseil et 25 dossiers ont été réglés de plein gré à ce stade.

Arbitrage – Sept dossiers ont été soumis à l'arbitrage et deux audiences ont eu lieu bien que les décisions n'aient pas encore été rendues publiques.

Règlement avant l'arbitrage – Les avocats de la Commission tenteront une dernière fois de régler une affaire avant l'arbitrage. En 2010, un total de 5 dossiers qu'on avait renvoyés en arbitrage ont été réglés par les avocats avant l'audience prévue.

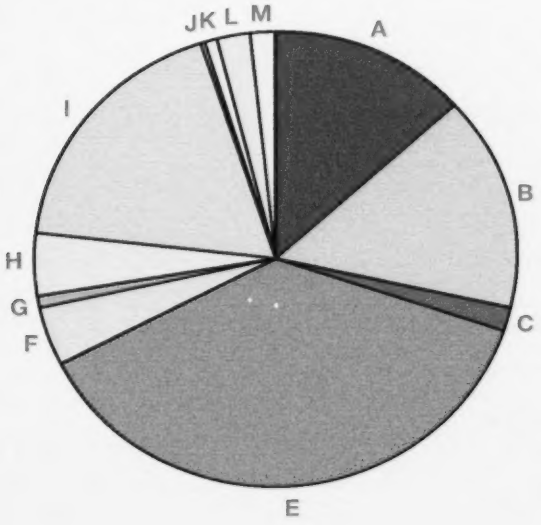
La Commission a fixé des buts et des objectifs futurs pour l'année à venir et pour plus loin encore.

La Commission des droits de la personne du Manitoba étudiera les possibilités pour incorporer le réseautage social dans sa stratégie de communications.

La Commission, ayant noté un besoin de renseignements sur les enquêtes pré-embauche et les droits de la personne, l'équité en matière d'emploi, et les droits et les responsabilités des locateurs et des corporations de condominiums, étudie la possibilité d'inclure ces sujets dans ses programmes d'éducation.

STATISTICS

Formal Complaints Registered in 2010 - By Grounds



- A Age (38)
- B Ancestry (44)
- C National Origin (4)
- D Ethnic Origin (0)
- E Disability (106)
- F Marital/Family Status (12)
- G Political Belief (2)
- H Religion (13)
- I Sex (incl. Pregnancy) (51)
- J Gender Det. Characteristics (1)
- K Sexual Orientation (2)
- L Source of Income (7)
- M Other (4)

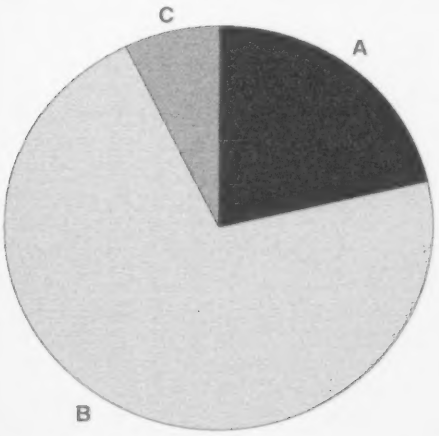
Total Complaints Registered = 284

Files Closed by Grounds up to December 31, 2010

Area	Pre-complaint Resolution	Pre-Board Settlements	Withdrawn / Abandoned	Dismissed by Board	Terminated / Offer Found Reasonable	Settled By Board Directed Mediation	Referred to Adjudication	Settled Prior to Adjudication
Age	1	11	1	7	1	0	0	0
Ancestry	2	6	8	19	0	0	0	0
National Origin	0	1	2	4	0	0	0	0
Ethnic Origin	0	0	0	0	0	0	0	0
Disability	13	31	15	38	1	18	6	2
Marital/Family	1	3	3	11	0	3	1	3
Political Belief	0	1	0	2	0	0	0	0
Religion	0	0	0	8	0	0	0	0
Sex (including Pregnancy)	7	12	3	22	0	3	0	0
Gender Determined Characteristics	1	0	0	0	0	0	0	0
Sexual Orientation	1	0	1	8	0	1	0	0
Source of Income	1	0	0	1	0	0	0	0
Other	0	6	1	2	0	0	0	0
TOTALS	**27**	**71**	**34**	**122**	**2**	**25**	**7**	**5**

Total Complaints by Grounds December 31, 2010 294

Formal Complaints Registered in 2010 - By Area



A Services (61)
B Employment (203)
C Housing (20)
D Other (0)

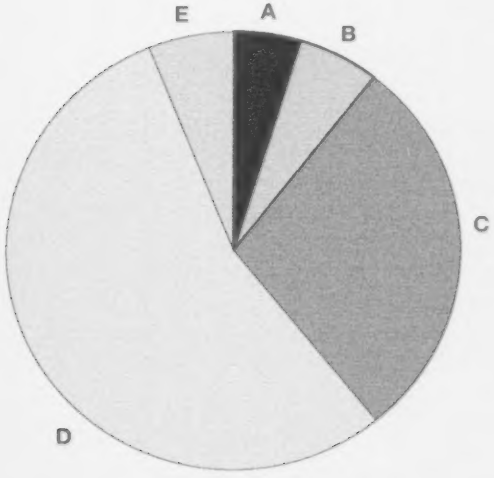
Total Complaints Registered = 284

Files Closed by Area up to December 31, 2010

Area	Pre-complaint Resolution	Pre-Board Settlements	Withdrawn / Abandoned	Dismissed by Board	Terminated Other / Offer Found Reasonable	Settled By Board Directed Mediation	Referred to Adjudication	Settled Prior to Adjudication
Services	7	4	4	46	1	2	2	1
Employment	19	66	27	74	1	23	4	3
Contracts	0	0	0	0	0	0	0	0
Housing	1	1	3	2	0	0	1	1
Other	0	0	0	0	0	0	0	0
TOTALS	**27**	**71**	**34**	**122**	**2**	**25**	**7**	**5**

Total Complaints by Area December 31, 2010 294

Formal Complaints Registered in 2010 - By Nature of Allegations



A Sexual Harassment (13)
B Other Harassment (16)
C Reasonable Accommodation (79)
D Differential Treatment (150)
E Reprisal (16)

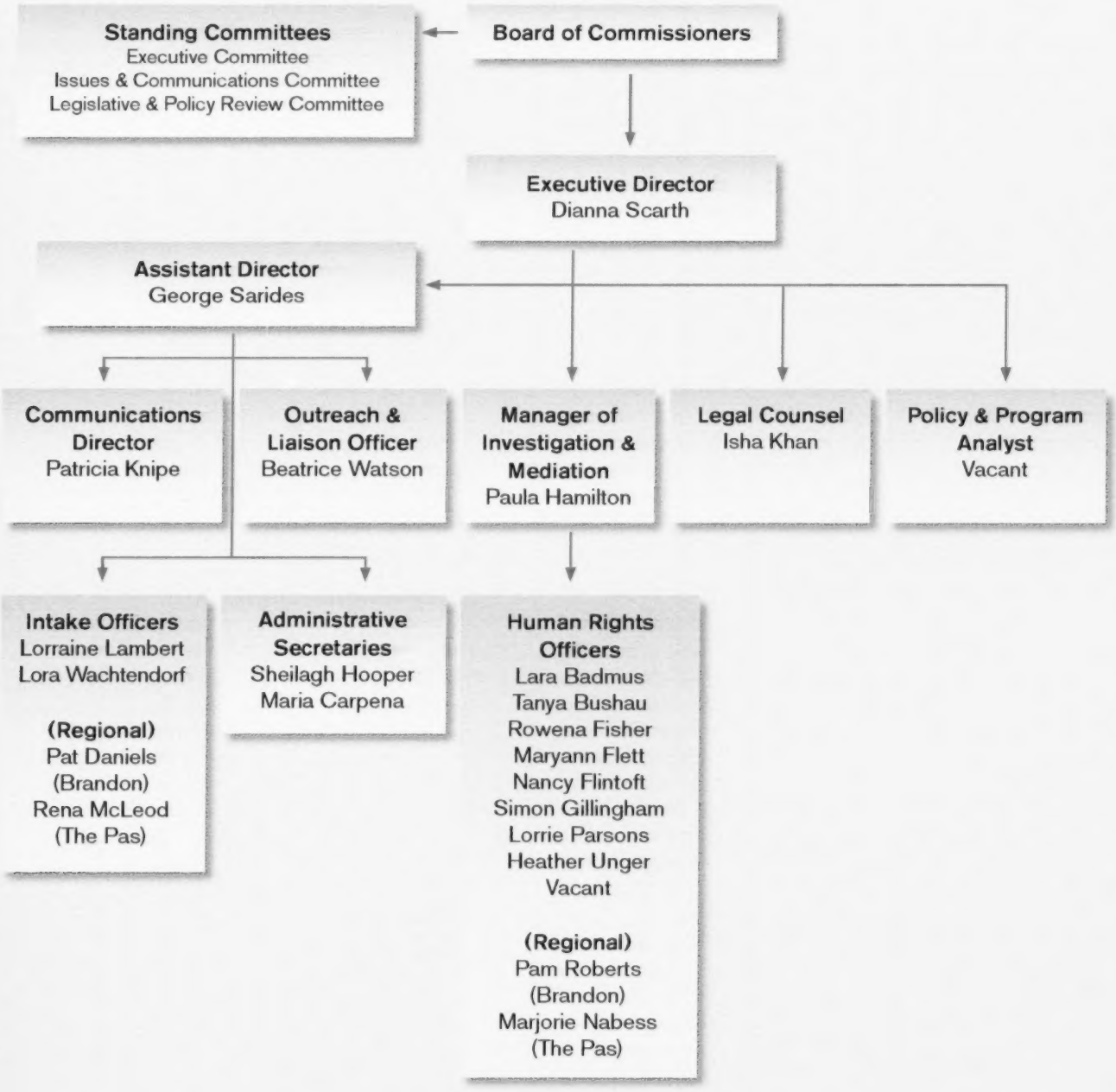
Total Complaints Registered = 284

Files Closed by Nature of Allegation December 31, 2010

Nature of Allegation	Number of Complaints
Sexual Harassment	12
Other Harassment	13
Reasonable Accommodation	74
Differential Treatment	186
Reprisal	8

Total Complaints by Nature of Allegation 294

MANITOBA HUMAN RIGHTS COMMISSION ORGANIZATION CHART • 2010



THE MANITOBA
HUMAN RIGHTS
COMMISSION

LA COMMISSION DES
DROITS DE LA PERSONNE
DU MANITOBA

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